

**CHARTER TOWNSHIP OF COMMERCE
PLANNING COMMISSION MEETING**

Monday, October 7, 2013
2009 Township Drive
Commerce Township, Michigan 48390

CALL TO ORDER: Chairperson Haber called the meeting to order at 7:00pm.

ROLL CALL: Present: Larry Haber, Chairperson
Tom Jones, Vice Chairperson
Brian Winkler, Secretary
Bill McKeever
Jay Czarnecki
David Law
John Hindo
Also Present: Kathleen Jackson, Planning Director

APPROVAL OF MINUTES

MOTION by Jones, supported by Law, to approve the Planning Commission Meeting Minutes of September 16, 2013, 2013, as written. **MOTION CARRIED UNANIMOUSLY**

UPDATE OF ACTIVITIES

Bill McKeever – Zoning Board of Appeals

- We approved a variance for 2975 Ivy Hill to build a deck that will encroach into the wetland setback.

Brian Winkler – Downtown Development Authority

- The budget was approved and forwarded to the Township.
- Activity and interest continues to be very impressive in almost every piece of property, residential and commercial. The momentum is very encouraging.

PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA

Susan Averbuch, 9005 Campbell Creek Drive, Commerce Township – On Saturday, October 26th at 8:00am we have the Martin Parkway Adopt-A-Road cleanup for anyone who is interested. This is in my backyard so I participate. Everyone meets at the Township Hall and the effort takes 1 to 1-1/2 hours.

ITEM I: PSP13-0036 - HAGGERTY SHOPPES – FLEXIBILITY IN PARKING

Haggerty Shoppes LLC of Royal Oak MI is requesting site plan approval for flexibility in parking for the Commerce Market Place Plaza located at 1713-1761 Haggerty Road. Sidwell No.: 17-25-426-013

Kathleen Jackson, Planning Director gave a review of the report and explained the rationale for the request.

Kathleen Jackson – The owner provided parking data and daily usage. The Township recognizes that some land uses have different parking loads than what is required by the Zoning Ordinance and therefore the Planning Commission has the authority to grant flexibility with the stipulation of an agreement. Peak hours for some tenants may vary from others, thereby requiring fewer spaces than the Ordinance anticipates for the use.

The petitioner is stating that they need 123 spaces and there are 108 in the parking lot and 22 on the adjacent Meijer lot through an easement.

Harvey Weiss, Weiss Property Management, 32820 Woodward, Royal Oak, MI, was present along with Michael Glum, Executive VP, 29657 Orchard lake Road, Farmington Hills, MI, to address the request.

Harvey Weiss – As you are aware, the Haggerty Shoppes are located in the Meijer parking lot. At present, we have 108 spaces on the site and 22 that are leased through an easement agreement with Meijer. A change in the ordinance and a change in use affects our parking requirements, as I understand it. As the property owner and managers, we are concerned about the occupants and making sure that there is adequate parking so that business is going well. We counted cars and provided what we feel is an accurate depiction of the usage during peak hours.

Mr. Weiss gave a detailed review of the report as submitted in the packet and discussed peak times. He believes there is never a shortage of parking or any concerns.

Haber – Do we have a parking agreement yet?

Kathleen Jackson – No, but the money is held in an escrow account. We held off on having the attorneys draft it, but we have a template.

Haber – So this can be approved pending the agreement?

Kathleen Jackson – The petitioner provided this information on daily parking usage. If you feel the numbers are tight, you can allow for staff to go out and check on the situation periodically. If we hear of complaints, we can conduct a parking study.

Haber – Where would they get the increased parking from if they need it?

Kathleen Jackson – There are many options in place for addressing issues, we can revoke certificates of occupancy, and another provision is to have employees park in the spaces that are located furthest from the building.

Haber – I frequent Meijer and my concern is that the only place they could pick up additional parking is across the driveway, and that would be dangerous for two reasons. First, the traffic is an issue for pedestrians, and secondly, the vegetation there blocks the view of oncoming traffic.

Kathleen Jackson – I could have the landscape architect go out and look at this. It can be corrected with additional trees that have a higher canopy, or conversely something that is low. I did not notice the issue with the vegetation, but maybe it just needs to be trimmed back.

Haber – Could we require relocation of the street for safety purposes if they need to obtain more parking in that area?

Kathleen Jackson – That would really depend upon Meijer as they would have to agree, so I don't know the answer to that. Their easement now is on the other side of the north/south buffer which physically separates the two parking lots.

Commission Comments:

McKeever – Everything was covered. As long as we have recourse if it doesn't work out, then I'm fine with the request.

Hindo – No comments.

Czarnecki – I'm okay with it as long as the agreement is in place.

Jones – I am in agreement with what Bill said.

Law – As it stands now, have there been any complaints or issues that you are aware of?

Kathleen Jackson – Not that I am aware of. The biggest problem there is trying to turn left out onto Haggerty Road, which is consistent with all of Haggerty. So to the best of my knowledge, there have been no incident reports or parking issues. This agreement puts you in a better spot than you are in now and there are actions that you can take.

Haber – During the lunch hours, between 11:30 and 1:30, it's a problem, but after that there are spaces and no significant issues.

Winkler – I have no issues.

Jones – When Arkan Jonna was putting in his center where Leo's is, one thing we requested was to have employees park in the back. Could that be done here?

Mr. Weiss – We do request that from all the shoppes, however it is difficult to monitor. We send letters out and track license plate numbers, makes and models, which helps for a little while.

Haber – I would think the tenants would want it that way for the convenience of their customers, because if I can't park I may go elsewhere.

Mr. Weiss – We are happy to try to monitor this.

Jones – Okay.

MOTION by Jones, supported by Law, that the Planning Commission, approves with conditions, Item PSP13-0036, the request by Haggerty Shoppes LLC of Royal Oak MI for site plan approval for flexibility in parking for the Commerce Market Place Plaza located at 1713-1761 Haggerty Road. Sidwell No.: 17-25-426-013

Approval is subject to the following conditions:

- a. A parking agreement, executed by the property owner and the Township, drafted by the Township Attorney to further ensure that provisions are in place in which case a problem arises; and,
- b. The owner will request that tenants have their employees park in the out-lot; and,
- c. Sufficient funds are to be placed in escrow to conduct a parking study if it becomes necessary within the next year due to issues.

Discussion –

Kathleen Jackson – The other item discussed was vegetation, and I will have the architect look at the situation; however, that would apply to Meijer and not to this request. Meijer currently has a site plan request in the Planning Department and this will be addressed.

MOTION CARRIED UNANIMOUSLY

ITEM II: MASTER PLAN UPDATE DISCUSSION

Kathleen Jackson, Planning Director gave a review, discussed rental research, and distributed handouts to the Commissioners regarding costs of providing community services.

She discussed maps drafted by McKenna that coincide with the information provided in the packets, indicating where multi-family developments exist and where they are master planned. The spreadsheet shows there is potential for 9 sites that could be changed in the future land use map to be consistent with the use that currently exists there.

Jones – Who owns those properties?

Kathleen Jackson – They are all different, but I will use a Township owned property as an example, on the southwest corner of Benstein and Sleeth. It is RM master planned and it is vacant. We have entertained purchases for it, but it may possibly be better in public recreation or another classification.

The other thing to think about is there are 4 parcels that are master planned RM, but they are developed as R2. The Zoning Ordinance does differentiate between multiple and duplex, but that is possibly something to look at in the future so that we don't have vacant parcels master planned as multi-family, but zoned R2. There's one of these parcels now at Maple and Beck which is going through rezoning. We need to decide what to do with these and it would be prudent to change the future land use map to coincide with existing uses.

Starting here with the master plan, there are two questions. Would you like to see the future land use map changed, and would you like an addendum to the master plan for multiple that those areas be changed? We could divide multi-family into low and high densities. It is typical to have 6-8 dwelling units per acre.

Jones – I recommend taking a position to look at what we do have and reasonably changing as many as we can without affecting demographics or upsetting the balance.

Haber – What is the opinion of the Commission regarding multiple?

McKeever – Do we have enough or do we need more? Are we talking rentals or multiples? They're really two different things. There are multiple clusters and condo developments that are owner-occupied.

Haber – Hold it to rentals.

McKeever – Rentals are a different animal. They're transient-based with a 35% turnover rate and they are a drain on the community based on the data generated.

Haber – I understand, but the question is do you think we have enough, or do we need more?

McKeever – I'm only offering an opinion and I don't know the total number of rentals. Until we have that, it's tough to comment.

Hindo – I agree along those lines. I'm okay with owner-occupied multiples as they live in them and pay their taxes. They have a vested interest in the community. I agree with Bill. It's not whether or not we like rentals or multiples. It's owner-occupied versus rentals. I'm all for owner-occupied, but I'm not totally against rentals. It seems what we have already is significant.

Czarnecki – I'm okay with what we have. We could add a little bit more, but it doesn't seem like anyone wants more.

Haber – We do need to get an accurate accounting of the number of rentals. I agree with Bill and John and on owner-occupied properties.

Jones – I understand what you're saying and I agree to a point, but there is a need to reduce the amount of multi-family. As far as rentals are concerned, I'm not sure that we can insist on no rentals legally with the Fair Housing Act.

Kathleen Jackson – At the next meeting, we will have an opinion from the Township Attorney on that subject. I will also have feedback from my meeting with the RCOC at that time, and the cost analysis.

McKeever – can we lower our density.

Kathleen Jackson – Yes.

Jones – Can we change our minimum single-family?

Kathleen Jackson – Yes, as part of a text amendment, but not as part of the master. We can change the annual report and add goals and objectives for density and minimum square footages.

Law – I think the original question was to rentals. Without the total number of existing rentals, this is just a stab in the dark, but it's my philosophy that we shouldn't be going out of our way to accommodate them.

Winkler – I'm in agreement with the comments made by David, Bill and John.

Kathleen Jackson – Do you want to change the future land use map to coincide with the existing land uses?

Jones – I would.

Kathleen Jackson – I will look further at those inconsistencies before the next meeting. Again, the next meeting will also include an opinion from the Township Attorney, an update from the RCOC, and the cost of services analysis. I would like to say that I will meet with the schools also prior to the meeting, but that may not be possible.

Haber – Also, the Sheriff's and Fire Department.

Kathleen Jackson – Okay.

OTHER MATTERS TO COME BEFORE THE COMMISSION

- Winkler stated that he would email the Commission with the PowerPoints and handouts he received last week at the Michigan Association of Planning conference.
- Kathleen Jackson discussed training as referenced in the annual report, which could be done during a regularly scheduled meeting or at a special on a different night. Haber inquired about having the RCOC deliver a presentation at an upcoming meeting.
- Haber stated that he would not be in attendance at the November meeting and Jones will be taking over in his absence.
- **The next regularly scheduled Planning Commission meeting will be Monday, November 4, 2013 at 7:00pm.**

ADJOURNMENT

MOTION by Jones, supported by Law, to adjourn the meeting at 7:58 pm.

MOTION CARRIED UNANIMOUSLY



Brian Winkler, Secretary